Applicant Initiated Interview Request Form

Application No.: 09/591,024 First Named Application: D.A. BURTON et al.
Examiner: Adnan M. Mirza Art Unit: 2145 Status of Application: After Non-Final Office Action

Tentative Participants:
(1) David W. Victor **(2)** Adnan M. Mirza
(3) _____ **(4)** _____

Proposed Date of Interview: March 22, 2007 **Proposed Time:** 2:00 PM (EST)

Type of Interview Requested:
(1) ☒ **Telephonic** **(2)** ☐ **Personal** **(3)** ☐ **Video Conference**

Exhibit to be shown or demonstrated: ☐ Yes ☒ No
If yes, provide a brief description: _____.

Issues to be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) Rej.	1-3, 5-17, 19=31, 33-45	Bare, Hatakeyama, Kinjo	☐	☐	☐

☒ Continuation Sheet Attached

Brief Description of Argument to be Presented:
With respect to proposed amended claim 1, want to discuss why cited Kinjo does not teach disabling a path for the given transfer size upon reaching a certain threshold. Although Kinjo mentions that paths are assigned to different transfer sizes, there is no teaching of a determined path for a given transfer size, or disabling one of the first or second paths for their assigned first and second transfer sizes if they have a transfer time for their given first and second transfer sizes that satisfies a threshold transfer time. Instead, Kinjo discusses how paths are designated for particular transfer sizes, but does not teach how one would disable a path for that transfer size. Further, want to discus why cited Kinjo does not teach added claim requirement that the determined path indicated as disabled for the first transfer size is enabled to transfer data for the second transfer size in response to the determined path having second transfer size data for the second transfer size that does not satisfy the threshold transfer time. Nowhere does art teach that a path that is disabled for a transfer size can still transfer data for another transfer size if its transfer time data for that other transfer size satisfies the threshold.

Applicants may also want to discuss patentability of claims 2, 3, 7, and 8.

An Interview was conducted on the above-identified application on _____.

NOTE:
This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).
This Application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

/David Victor/ _____
(Applicant/Applicant's Representative Signature) (Examiner/SPE Signature)

PROPOSED AMENDMENT FOR 09/591,024 (18.75)

1. (Proposed Amendment) A method for selecting one of multiple data paths to a device, comprising:

selecting one of multiple paths indicated as enabled to transmit data, wherein a path is indicated as enabled or disabled;

gathering transfer time data for ~~multiple~~ first and second transfer sizes for each enabled path capable of being selected, wherein the transfer size is a size of the data being transferred in one transfer operation;

determining one path currently indicated as enabled to be selected to transfer data for a ~~given~~ first transfer size that has first transfer time data for the ~~given~~ first transfer size satisfying a threshold transfer time; and

indicating the determined path as disabled for the ~~given~~ first transfer size, wherein paths indicated as disabled for ~~given~~ one of the transfer sizes are not capable of being selected to use to transmit data having the ~~given~~ transfer size, wherein one path is capable of being concurrently indicated as disabled for [[a]] the first transfer size and enabled for [[a]] the second transfer size, and wherein the determined path indicated as disabled for the first transfer size is enabled to transfer data for the second transfer size in response to the determined path having second transfer time data for the second transfer size that does not satisfy the threshold transfer time.